

105TH CONGRESS
2D SESSION

H. R. 3157

To improve education in overcrowded classrooms by increasing the number
of teachers.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1998

Mr. PAXON (for himself, Mr. BLILEY, Mr. LIVINGSTON, Mr. HOEKSTRA, Mr. SOUDER, Mr. GIBBONS, Mr. GRAHAM, Mr. SMITH of Michigan, Mr. RILEY, Mrs. LINDA SMITH of Washington, Mr. SESSIONS, Mr. HAYWORTH, Mr. ENGLISH of Pennsylvania, and Mr. ENSIGN) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To improve education in overcrowded classrooms by
increasing the number of teachers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Teachers in the Class-
5 room Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Enrollment in elementary and secondary
2 schools is at the highest level ever recorded in this
3 country, and the Department of Education recently
4 announced that 52,200,000 students are expected to
5 attend school in 1998, an increase of more than a
6 million students over 1997.

7 (2) Increases in elementary and secondary stu-
8 dent enrollment will continue in record numbers
9 each year for the next decade with more than
10 3,000,000 additional students expected; secondary
11 school attendance alone is expected to increase by
12 more than 13 percent.

13 (3) This unprecedented increase in student en-
14 rollment will affect high poverty urban and rural
15 areas, and States experiencing rapid population
16 growth.

17 (4) Just to keep pace with the growing number
18 of enrolled elementary and secondary school stu-
19 dents, schools will need to hire 150,000 additional
20 teachers during the next decade.

21 (5) Data and research, including information
22 from the State of Tennessee's Student/Teacher
23 Achievement Ratio project (Project STAR), the larg-
24 est and longest lasting experiment ever conducted to
25 examine the effects of small class sizes on student

1 learning and development, suggest that students in
2 the early grades learn more in smaller classes, con-
3 tinue to have an edge over the rest of their peers
4 years after they return to normal-sized classrooms
5 and show that every time a student is added to a
6 classroom, learning is diminished for the rest of the
7 class.

8 (6) It is vital that we adequately educate and
9 prepare America's children for the next century and
10 our competitive global economy.

11 (7) Helping improve the learning environment
12 for each and every student is an important goal, hir-
13 ing new teachers is an important objective, and Con-
14 gress needs to fund positions for teachers without
15 adding to the Federal bureaucracy, deficit, or debt.

16 (8) Congress needs to provide resources to keep
17 pace with growing enrollment and, if possible, help
18 to reduce classroom sizes.

19 **SEC. 3. GRANT PROGRAM.**

20 (a) IN GENERAL.—The Secretary of Education is au-
21 thorized to award grants to Governors to enable Governors
22 to provide funds to local educational agencies to hire ele-
23 mentary and secondary teachers or qualified instructional
24 personnel as authorized under State law to reduce over-
25 crowded classes.

1 (b) STATE ELIGIBILITY.—

2 (1) IN GENERAL.—To be eligible to receive a
3 grant under this Act, a Governor of a State shall
4 submit an application to the Secretary.

5 (2) DISAPPROVAL.—To the extent that appro-
6 priations are made available in a fiscal year to carry
7 out this Act, the Secretary shall not disapprove an
8 application from a Governor.

9 (c) LOCAL ELIGIBILITY.—To be eligible to receive a
10 grant from the Governor, a local educational agency
11 shall—

12 (1) establish a trust fund for all payments re-
13 ceived under this Act;

14 (2) provide assurances that funds received
15 under this Act will be deposited in such trust fund
16 account;

17 (3) provide assurances that funds received
18 under this Act will be used only to hire new teachers
19 or qualified personnel not later than 2 years after
20 receipt of such funds;

21 (4) provide assurances that the agency will use
22 accounting and auditing practices stipulated by the
23 Governor and allow the State access to any and all
24 records regarding funds received and used under
25 this Act;

1 (5) provide assurances that the agency will
2 achieve a net gain in the number of teachers or
3 qualified instructional personnel in a classroom set-
4 ting;

5 (6) review annually the performance of person-
6 nel hired pursuant to this Act to ensure that the
7 agency has hired qualified personnel;

8 (7) obligate personnel hired pursuant to this
9 Act for a period of employment not to exceed one
10 year;

11 (8) repay to the State not later than 27 months
12 after receipt of funds from the State any amounts
13 not expended after 24 months of such receipt;

14 (9) use funds received under this Act only to
15 supplement the amount of funds that would, in the
16 absence of such Federal funds, be made available
17 from non-Federal sources for the education of stu-
18 dents participating in programs assisted under this
19 Act, and not to supplant such funds; and

20 (10) apply to the Governor each year in which
21 the agency wishes to receive funding under this Act.

22 **SEC. 4. DISTRIBUTION OF FUNDS.**

23 (a) IN GENERAL.—From the amount appropriated
24 for this Act under section 8 for any fiscal year, each State
25 is eligible to receive an amount that bears the same ratio

1 to the amount so appropriated as the average number of
2 children aged 5 through 17, inclusive, in the State as re-
3 ported to the Secretary in the three most recent calendar
4 years for which such data is available bears to the number
5 of such children in all States during the same period.

6 (b) REALLOCATION.—The Secretary shall reallocate
7 any amounts allocated under subsection (a) that are not
8 used by a State for the purposes of this section to other
9 States in proportion to the distribution of other funds
10 under this section.

11 **SEC. 5. FISCAL REQUIREMENTS.**

12 (a) WITHHOLDING FOR NONCOMPLIANCE.—A Gov-
13 ernor, 60 days after written notice to a local educational
14 agency for substantial noncompliance with the provisions
15 of section 3(c), may withhold payments to a local edu-
16 cational agency.

17 (b) MAINTENANCE OF EFFORT.—After the first fis-
18 cal year that a local educational agency receives funds
19 under this Act, such agency may continue to receive funds
20 for any fiscal year only if the Governor finds that the local
21 educational agency has increased the number of teachers
22 or qualified personnel in the classroom.

23 **SEC. 6. PROGRAM ADMINISTRATION.**

24 (a) STATE ADMINISTRATION.—

1 (1) IN GENERAL.—A Governor who receives a
2 grant under this Act shall select one or more local
3 educational agencies in the State to participate in a
4 program under this Act based on the determination
5 of the Governor regarding the need to alleviate over-
6 crowded classes in schools served by such an agency.

7 (2) EVALUATION AND REPORT.—A Governor
8 who receives a grant under this Act shall evaluate
9 and audit the funds used for any program estab-
10 lished by a local educational agency under this Act
11 and shall report such findings on an annual basis to
12 the Secretary of Education.

13 (3) ADMINISTRATIVE COSTS.—A Governor may
14 use not more than 2 percent of the funds received
15 under this Act to pay administrative costs.

16 (4) INNOVATIVE TEACHING PROGRAMS.—A
17 Governor may use not more than 10 percent of the
18 funds received under this Act to establish a program
19 within the State to improve instructional quality by
20 providing incentives to encourage innovative teacher
21 training programs, establish alternate certification
22 and licensure procedures, or to hire nontraditional
23 personnel.

24 (b) SECRETARY REPORTING.—The Secretary of Edu-
25 cation, after consultation with the Governors, shall report

1 to the Committee on Education and the Workforce of the
2 House of Representatives and the Committee on Labor
3 and Human Resources of the Senate not later than March
4 1 of each year and shall include in this report, an evalua-
5 tion of the effectiveness of programs assisted under this
6 Act and recommendations regarding the continuity of this
7 program.

8 **SEC. 7. CONSTRUCTION.**

9 Nothing in this Act may be construed to provide ten-
10 ure to personnel hired pursuant to this Act.

11 **SEC. 8. DEFINITION.**

12 For purposes of this Act—

13 (1) the term “local educational agency” means
14 a board of education or other authority constituted
15 within a State for administrative control or direction
16 of or to perform a service function for elementary
17 and secondary schools;

18 (2) the term “State” means each of the 50
19 States and the District of Columbia; and

20 (3) the term “Secretary” means the Secretary
21 of the Department of Education.

22 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to carry out this Act—

24 (1) \$500,000,000 for fiscal year 1999;

25 (2) \$1,000,000,000 for fiscal year 2000;

- 1 (3) \$1,500,000,000 for fiscal year 2001;
- 2 (4) \$2,000,000,000 for fiscal year 2002; and
- 3 (5) \$2,500,000,000 for fiscal year 2003.

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